

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| | | |
|-----------------------------|---|----------------------|
| In re Application of: | § | |
| Arild Flystveit et al. | § | |
| | § | |
| Serial No.: 10/597,020 | § | Group Art Unit: 2416 |
| | § | |
| Filed: July 6, 2006 | § | |
| | § | Examiner: Unknown |
| Confirmation No.: 4825 | § | |
| | § | |
| For: MODE OF OPERATION OF A | § | |
| MOVING CELLULAR RADIO | § | |
| NETWORK | § | |

Office of Initial Patent Examination's Filing
Receipt Corrections
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

REQUEST FOR CORRECTION OF ERRORS ON FILING RECEIPT

The Filing Receipt for the above-referenced application contains errors regarding Foreign Applications and Entity Status.

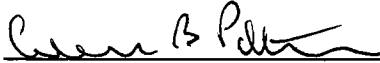
Under Foreign Applications, the Filing Receipt recites: "JAPAN 2004-003612 01/09/2004". It should be left blank. Please see attached, a copy of the first page of International Publication No. WO 2005/067324 A1, as well as a copy of the executed Combined Declaration and Power of Attorney filed April 11, 2007, specifically page 2.

The Filing Receipt recites as the entity status: "*** SMALL ENTITY ***" This should be deleted. Please see attached, a copy of the Entity Status Change Request filed November 17, 2006, changing the status from small entity to large entity.

Also attached is a copy of the Filing Receipt with the above changes noted thereon. Please correct these errors or notify the Applicants of the reasons for denying the request. Although Applicants believe that no fee is due, the Commissioner is

hereby authorized to charge counsel's Deposit Account No. 20-0782/HAMS/0004/
WBP, for any fee required to make this request timely and acceptable to the Office.

Respectfully submitted,



William B. Patterson
Registration No. 34,102
PATTERSON & SHERIDAN, L.L.P.
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Attorney for Applicants

(19) World Intellectual Property
Organization
International Bureau



(43) International Publication Date
21 July 2005 (21.07.2005)

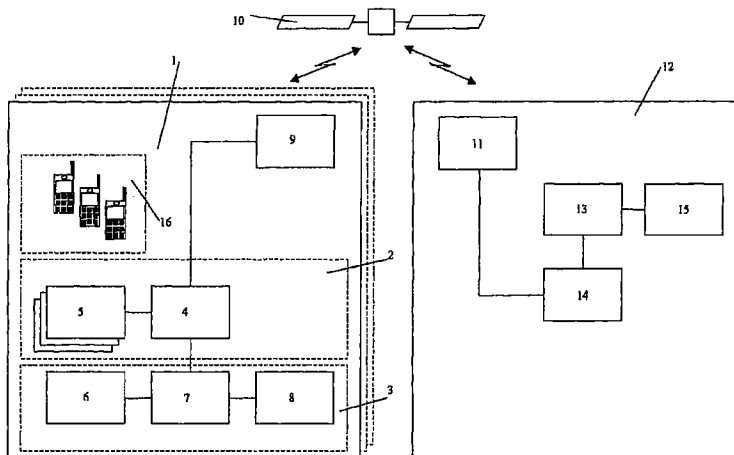
PCT

(10) International Publication Number
WO 2005/067324 A1

- (51) International Patent Classification⁷: **H04Q 7/20**, 7/36 (74) Agent: **HAMSON PATENTBYRA ANS**; P.O. Box 171, N-4302 Sandnes (NO).
- (21) International Application Number: PCT/NO2004/000004 (81) Designated States (*unless otherwise indicated, for every kind of national protection available*): AE, AG, AL, AM, AT, AU, AZ, BA, BB, BG, BR, BW, BY, BZ, CA, CH, CN, CO, CR, CU, CZ, DE, DK, DM, DZ, EC, EE, EG, ES, FI, GB, GD, GE, GH, GM, HR, HU, ID, IL, IN, IS, JP, KE, KG, KP, KR, KZ, LC, LK, LR, LS, LT, LU, LV, MA, MD, MG, MK, MN, MW, MX, MZ, NA, NI, NO, NZ, OM, PG, PH, PL, PT, RO, RU, SC, SD, SE, SG, SK, SL, SY, TJ, TM, TN, TR, TT, TZ, UA, UG, US, UZ, VC, VN, YU, ZA, ZM, ZW.
- (22) International Filing Date: 12 January 2004 (12.01.2004)
- (25) Filing Language: English
- (26) Publication Language: English
- (71) Applicant (*for all designated States except US*): **MARITIME COMMUNICATIONS PARTNER AS** [NO/NO]; Televeien 3, N-4879 Grimstad (NO).
- (72) Inventors; and
- (75) Inventors/Applicants (*for US only*): **FLYSTVEIT, Arild** [NO/NO]; Maudsvei 30, N-4633 Kristiansand (NO). **DAHLSVEEN, Kenneth** [NO/NO]; Konvallveien 2, N-4823 Nedenes (NO). **GUSTAVSEN, Trygve, Sten** [NO/NO]; Skibberhei 9, N-4817 His (NO). **SPISSOY, Kare, Thoresen** [NO/NO]; Spissoy, N-5440 Mosterhamn (NO). **AANONSEN, Alf, S.** [NO/NO]; Vestre Solbakken 17B, N-4846 Arendal (NO). **FJELLHEIM, Knut** [NO/NO]; Asveien 21, N-4817 HIS (NO).
- (84) Designated States (*unless otherwise indicated, for every kind of regional protection available*): ARIPO (BW, GH, GM, KE, LS, MW, MZ, SD, SL, SZ, TZ, UG, ZM, ZW), Eurasian (AM, AZ, BY, KG, KZ, MD, RU, TJ, TM), European (AT, BE, BG, CH, CY, CZ, DE, DK, EE, ES, FI, FR, GB, GR, HU, IE, IT, LU, MC, NL, PT, RO, SE, SI, SK, TR), OAPI (BF, BJ, CF, CG, CI, CM, GA, GN, GQ, GW, ML, MR, NE, SN, TD, TG).
- Published:
— with international search report

[Continued on next page]

(54) Title: MODE OF OPERATION OF A MOVING CELLULAR RADIO NETWORK



(57) Abstract: Method of operation for a control system (3) that controls a cellular/mobile radio network (2) onboard a moving vessel. The control system combines information about the position of the vessel (6) with knowledge about assigned radio frequencies and regulatory conditions in the geographical area, as well as information about available frequencies (8), to adjust transmitted power and frequency usage. A vessel with this system onboard will be able to move freely in any national or international geographical area without infringing other radio networks operating in the same frequency band. Cellular/mobile phones (16) will be able to communicate with other cellular/mobile phones (16) and fixed phones on the same vessel or with phones in public fixed networks (13), public land mobile networks (15) or other moving radio networks, using the satellite system (9, 10 and 11) as transmission path between the systems on the vessel (1) and the common resources (12) on shore.

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

This declaration is of the following type:

- ☒ original
- ☐ divisional
- ☐ continuation
- ☐ continuation-in-part

INVENTORSHIP IDENTIFICATION

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

MODE OF OPERATION OF A MOVING CELLULAR RADIO NETWORK

SPECIFICATION IDENTIFICATION

The specification of which:

- ☒ is filed herewith
- ☐ was filed on _____, under Serial No. _____; or
- ☐ Express Mail No. (as Serial No. not yet known) and was amended on _____ (if applicable); or
- ☒ was described and claimed in PCT International Application No. PCT/NO2004/000004, filed on January 12, 2004; or
- ☐ was filed on _____, under Attorney Docket No. _____.

ACKNOWLEDGMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose all information I know to be material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application; namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

- ☒ In compliance with this duty there is attached an Information Disclosure Statement in accordance with 37 CFR §1.98.

PRIORITY CLAIM (35 U.S.C. §119)

I hereby claim foreign priority benefits under Title 35, United States Code, §119, of any provisional or foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below, and have also identified below any provisional or foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

- ☒ No such applications have been filed.
☐ Such applications have been filed as follows:

A. Prior foreign/PCT application(s) filed within 12 mos. (6 mos. for design) prior to this application, and any priority claims under 35 USC §119

| <u>Country/PCT</u> | <u>Application Number</u> | <u>Date Filed</u> | <u>Priority Claimed</u> |
|--------------------|---------------------------|-------------------|--|
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |
| | | | <input type="checkbox"/> Yes <input type="checkbox"/> No |

B. All foreign application(s), if any, filed more than 12 mos. (6 mos. for design) prior to this U.S. application

| <u>Country/PCT</u> | <u>Application Number</u> | <u>Filing Date</u> |
|--------------------|---------------------------|--------------------|
|--------------------|---------------------------|--------------------|

C. U.S. Provisional Application filed within 12 months prior to this application

| <u>Serial Number</u> | <u>Filing Date</u> |
|----------------------|--------------------|
|----------------------|--------------------|

PRIORITY CLAIM (35 USC §120)

I hereby claim the benefit under Title 35, United States Code, §120, of any United States application(s) or PCT international application(s) designating the United States of America that is/are listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in that/those prior application(s) in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information that is material to the examination of this application (namely, information where there is substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent) which occurred between the filing date of the prior application(s) and the national or PCT international filing date of this application.

- ☒ No such applications have been filed.
☐ Such applications have been filed, as follows:

| <u>Serial Number</u> | <u>Filing Date</u> | <u>Patented</u> | <u>Pending</u> | <u>Abandoned</u> |
|----------------------|--------------------|--------------------------|--------------------------|--------------------------|
| | | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> |

P2453205

Atty. Dkt. No. HAMS/0004



POWER OF ATTORNEY

- ☒ Practitioners associated with the Customer Number: 26290
- ☐ I hereby appoint the following attorneys and/or agents to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

| | |
|----------------------|-------------------------|
| B. Todd Patterson | Registration No. 37,906 |
| Keith M. Tackett | Registration No. 32,008 |
| Douglas H. Elliott | Registration No. 32,982 |
| William B. Patterson | Registration No. 34,102 |
| Randol W. Read | Registration No. 43,876 |

Send correspondence and direct telephone calls to:

William B. Patterson
PATTERSON & SHERIDAN, L.L.P.
3040 Post Oak Blvd., Suite 1500
Houston, TX 77056
Telephone: 713/623/4844

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and, further, that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Sec. 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patents issued thereon.

Full name of **sole or first** inventor: Arild Flystveit

Inventor's signature: Arild Flystveit Date: 7/8 - 06
Residence: Maudsvei 30
N-4633 Kristiansand
Norway
Post Office Address: Same as above Country of Citizenship: Norway

Full name of **second** inventor: Kenneth Dahlsveen

Inventor's signature: Kenneth Dahlsveen Date: 31/7 - 06
Residence: Konvallveien 2
N-4823 Nedenes
Norway
Post Office Address: Same as above Country of Citizenship: Norway

Full name of **third** inventor: Trygve Sten Gustavsen

Inventor's signature: 

Date: 12/7-06

Residence:

Skibberhei 9

N-4817 His

Norway

Post Office Address:

Same as above

Country of Citizenship:

Norway

Full name of **fourth** inventor:

Kåre Thoresen Spissøy

Inventor's signature: 

Date: 1/8-06

Residence:

Spissøy

N-5440 Mosterhamn

Norway

Post Office Address:

Same as above

Country of Citizenship:

Norway

Full name of **fifth** inventor:

Alf S. Aanonsen

Inventor's signature: 

Date: 10/7-06

Residence:

Vestre Solbakken 17B

N-4846 Arendal

NORWAY

Post Office Address:

Same as above

Country of Citizenship:

Norway

Full name of **sixth** inventor:

Knut Fjellheim

Inventor's signature: 

Date: 12/7-06

Residence:

Asveien 21

N-4817 His

Norway

Post Office Address:

Same as above

Country of Citizenship:

Norway

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:
Flystveit, et al.

Serial No.: 10/597,020

Filed: July 6, 2006

For: MODE OF OPERATION OF A
MOVING CELLULAR RADIO
NETWORK

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Group Art Unit: Unknown

Conf. No.: 4825

Examiner: Unknown

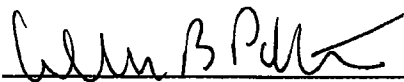
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

ENTITY STATUS CHANGE UNDER 37 C.F.R. §1.27(g)(2)

The Applicant respectfully submits that the entity status in this patent has changed from small entity to large entity. Accordingly, Applicant requests that the entity status be changed from small entity to large entity in accordance with 37 C.F.R. §1.27(g)(2).

Respectfully submitted,



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Attorney for Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

| APPLICATION NUMBER | FILING or 371(c) DATE | GRP ART UNIT | FIL FEE REC'D | ATTY DOCKET NO | TOT CLAIMS | IND CLAIMS |
|-----------------------|--------------------------|-----------------|---------------|----------------|------------|------------|
| 10/597,020 | 04/11/2007 | 2416 | 515 | HAMS/0004 | 2 | 1 |

CONFIRMATION NO. 4825

FILING RECEIPT



OC000000032799011

Date Mailed: 10/29/2008

Receipt is acknowledged of this non-provisional patent application. The application will be taken up for examination in due course. Applicant will be notified as to the results of the examination. Any correspondence concerning the application must include the following identification information: the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. **If an error is noted on this Filing Receipt, please submit a written request for a Filing Receipt Correction. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections**

Applicant(s)

Arild Flystveit, Kristiansand, NORWAY;
Kenneth Dahlsveen, Nedenes, NORWAY;
Trygve Sten Gustavsen, His, NORWAY;
Kare Thoresen Spissoy, Mosterhamn, NORWAY;
Alf S. Aanonsen, Arendal, SWEDEN;
Knut Fjellheim, His, NORWAY;

Power of Attorney: The patent practitioners associated with Customer Number 26290

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/NO04/00004 01/12/2004

Foreign Applications

~~JAPAN 2004-003612 01/09/2004~~

If Required, Foreign Filing License Granted: 10/24/2008

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US 10/597,020**

Projected Publication Date: 02/05/2009

Non-Publication Request: No

Early Publication Request: No

****SMALL ENTITY****

Title

MODE OF OPERATION OF A MOVING CELLULAR RADIO NETWORK

Preliminary Class

370

PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filing of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process **simplifies** the filing of patent applications on the same invention in member countries, but **does not result** in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at <http://www.uspto.gov/web/offices/pac/doc/general/index.html>.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, <http://www.stopfakes.gov>. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER

Title 35, United States Code, Section 184

Title 37, Code of Federal Regulations, 5.11 & 5.15

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as

set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

1610.025890

FILE NUMBER HAMS/0004US
FORWARDED TO KIM
REVIEWED ONLY _____
REVIEWED/DOCKETED JB 11/05/08
REVIEWED _____
PREVIOUSLY DKT'D _____

